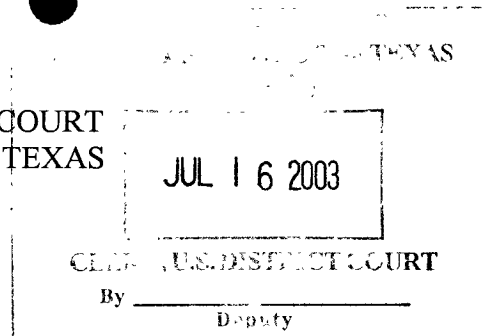


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CONFIDENTIAL

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION



REBECCA REMELY  
Plaintiff,

VS.

ETAN GENERAL, INC., et al.,  
Defendants.

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Case No. 3 01CV 2658-K

**MEDIATION REPORT**

**TO THE HONORABLE UNITED STATES DISTRICT COURT**

Manuel H. Newburger, court-appointed mediator, hereby submits his report to the Court.

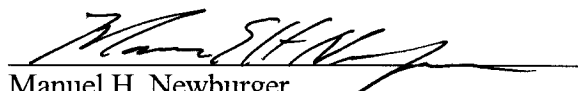
The parties convened in Dallas, Texas, to mediate in accordance with the Court's order. Plaintiff appeared in person and with one of her attorneys of record and Defendant sent a corporate representative with settlement authority and two of its attorneys.

The mediation lasted one full day, at the end of which the parties reached an agreement (subject to Court approval) to settle on a class-wide basis. As an attorney experienced in class action matters, the mediator is pleased to report that there was no evidence of collusion in reaching a class settlement, that the mediation was a hard-fought, arms length negotiation, and that the attorneys for the parties were zealous, but professional advocates for their clients.

Respectfully submitted,

BARRON & NEWBURGER, P.C.  
1212 Guadalupe, Suite 104  
Austin, Texas 78701-1837  
(512) 476-9103  
Fax: (512) 476-9253

By:

  
Manuel H. Newburger  
State Bar No. 14946500

**CERTIFICATE OF SERVICE**

I certify that a true copy of the foregoing has been served on the following attorneys of record by facsimile transmission on this, the 15 day of July, 2003, addressed as follows:

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Manuel H. Newburger